



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/637,120	08/11/2000	Eric Edwards	080398.P366	7324

7590 10/20/2006

Robert G. Litts  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
7th Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025

EXAMINER

KE, PENG

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/637,120	EDWARDS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Peng Ke	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-11,13,23-38 and 40-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-11,13,23-38 and 40-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 2174

### DETAILED ACTION

This action is responsive to communications: Amendment, filed on 8/7/06.

This action is made Final.

Claims 1-3,6-11, 13, 23-38, and 40-51 are pending in this application. Claims 1, 23, and 38, and 49 are independent claims. In the Amendment, filed on 8/7/06, claims 1, 3, 23-25, 38, 40, and 49 were amended,.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 7-11, 13, 23, 26-27, 29-35, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586, in view of Shiimori US Patent 6,567,983.

As per claim 1, Yang teaches a method for displaying images comprising:

specifying from at least one source of a plurality of sources to access the images to be displayed in order to specify one or more types of images to be used in a visual presentation;  
(column 8, lines 15-28)

accessing a plurality of presentation images from the one or more specified sources by a server, the plurality of presentation images having inconsistent presentation attributes; (column 22, lines 41-47)

arranging the presentation images by the server according to at least one characteristic provided by a client; (column 8, lines 15-28) and

organizing the presentation images in then visual presentation by the server, wherein organizing includes automatically modifying the inconsistent presentation attributes of the plurality of presentation images to have consistent presentation attributes: (column 23, lines 28-32; column 14, lines 45-53; It is inherent that the pictures will be automatically adjusted during slide show if the re-size image is selected.) and

However, Yang fails to teach completing the visual at the server side and then transmitting the visual presentation from the server to a client.

Shiimori teaches completing the visual at the server side and then transmitting the visual presentation from the server to a client. (column 3, lines 1-54)

It would have been obvious to an artisan at the time of the invention to include Shiimori's teaching with method of Yang in order to allow users to store their photo albums over the network.

As per claim 2, Yang and Shiimori teach the method of claim 1. Yang further teaches comprising: selecting the at least one characteristic being from the group consisting of a distance, a perspective, a magnification, and an angle. (column 23, lines 28-32; column 14, lines 45-53).

As per claim 7, Yang and Shiimori teach the method of claim 1. Yang further teaches wherein the images are digitalized images captured by a digital camera. (column 8, lines 15-25)

As per claim 8, Yang and Shiimori teach the method of claim 1. Shiimori further teaches wherein accessing the plurality of presentation images comprises: uploading the plurality of presentation images from the client. (column 3, lines 1-54)

Art Unit: 2174

As per claim 9, Yang and Shiimori teach the method of claim 1. Yang further teaches wherein accessing the plurality of presentation images comprises: loading the plurality of presentation images from a database being one of the specified sources. (column 8, lines 15-25)

As per claim 10, Yang and Shiimori teach the method of claim 1. Yang teaches wherein accessing the plurality of presentation images comprises: uploading at least one presentation image from then client being one of the specified sources; and loading at least one presentation image from a database being one of the specified sources. (column 8, lines 15-25)

As per claim 11, Yang and Shiimori teach the method of claim 1. Yang teaches wherein accessing the plurality of presentation images comprises: loading at least one presentation image from a computer-readable medium being one of the specified sources. (column 8, lines 15-25)

As per claim 13, Yang and Shiimori teach the method of claim 1. Yang further teaches comprising: saving the visual presentation on a computer-readable medium. (column 14, lines 1-18)

As per claim 23, it is rejected with the same rationale as claims 1 and 2. Supra.

As per claim 26, Yang and Shiimori teach the method of claim 23. Yang further teaches the computer executable instructions further comprising: accessing an address for a location (column 14, lines 1-18)

As per claim 27, Yang and Shiimori teach the method of claim 23. Yang further teaches the method having computer executable instructions further comprising: accessing location coordinates for a location. (figure 14, items "horizontal, vertical, diagonal")

As per claim 29, which is dependent on claim 23, it is of the same scope as claim 7. (see rejection above).

As per claim 30, which is dependent on claim 23, it is of the same scope as claim 8. (see rejection above).

As per claim 31, which is dependent on claim 23, it is of the same scope as claim 9. (see rejection above).

As per claim 32, which is dependent on claim 23, it is of the same scope as claim 10. (see rejection above).

As per claim 33, which is dependent on claim 23, it is of the same scope as claim 11. (see rejection above).

As per claim 34, which is dependent on claim 23, it is of the same scope as claim 12. (see rejection above).

As per claim 35, which is dependent on claim 23, it is of the same scope as claim 13. (see rejection above).

As per claim 42, Yang and Shiimori teach the method of claim 1. Yang further teaches specifying from the at least one source of the plurality of sources comprises:

sending a web page to a client, the web page identifying parameters that are used for accessing the plurality of presentation images. (column 8, lines 15-25; Internet URL is the same as a web page.)

Art Unit: 2174

Claims 24, 43, 44, 46, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586, in view of Shiimori US Patent 6,567,983 further in view of Asami US Patent 6,747,674.

As per claim 43, Yang and Shiimori teach the method of claim 2.

However, they fail to teach wherein prior to accessing the plurality of presentation images, the method further comprises: specifying how quickly the visual presentation zooms in or out if the distance or magnification characteristic from the group is selected.

Asami et al. teaches means for selecting at least one characteristic from a group consisting of a distance and a magnification. (column 5, lines 35-column 6, lines 18)

It would have been obvious to an artisan at the time of the invention to include Asami's teaching with method of Yang and Shiimori in order to allow users to create a zooming effect.

As per claim 44, Yang and Shiimori teach the method of claim 2.

However, they fail to teach wherein prior to accessing the plurality of presentation images, the method further comprises: specifying how quickly the visual presentation pans around a location if the perspective or angle characteristic from the group is selected.

Asami et al. teaches specifying how quickly the visual presentation pans around a location if the perspective or angle characteristic from the group is selected. (column 5, lines 35-column 6, lines 18)

It would have been obvious to an artisan at the time of the invention to include Asami teaching with method of Yang and Shiimori in order to provide users with an indication of zooming time.

As per claim 24, it is of the same scope as claim 43. Supra.

Art Unit: 2174

As per claims 46 and 47, they are rejected with the same rationale as claims 43 and 44 respectively. Supra.

Claims 38, 40, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586 in view of Asami US Patent 6,747,674.

As per claim 38, Yang teaches a computerized system comprising:

means for accessing a plurality of presentation images from at least one source remotely located from the computerized system ; (column 8, lines 15-25)

means for receiving information identifying selecting-at least one characteristic to produce a visual presentation from a client; (column 22, lines 41-47)

means for arranging the presentation images according to at the characteristics provided by the source; (column 23, lines 28-32;) and

means for organizing the presentation images in then visual presentation, wherein organizing includes automatically modifying the inconsistent presentation attributes of the plurality of presentation images to have consistent presentation attributes. (column 23, lines 28-32)

However Yang fails to teaches the characteristic include a distance and a magnification

Asami et al. teaches means for selecting at least one characteristic from a group consisting of a distance and a magnification. (column 5, lines 35-column 6, lines 18)

It would have been obvious to an artisan at the time of the invention to include Asami teaching with method of Yang in order to allow users to create a zooming effect.

As per claim 40, Yang and Asami teach the computerized system of claim 38. Yang further teaches comprising: means for modifying at least one of the inconsistent presentation



Art Unit: 2174

attributes of the plurality of presentation images, the presentation attributes being both exposure and size. (column 23, lines 28-32)

As per claim 49, it is rejected with the same rationale as claim 38. Supra.

As per claim 50, which is dependent on claim 49, Yang and Asami teach the method of claim 49. Asami further teaches wherein prior to accessing the plurality of presentation images, the method further comprises: specifying how quickly the visual presentation pans around a location if the perspective or angle characteristic from the group is selected. (column 5, lines 35-column 6, lines 18)

Claims 6 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586, in view of Shiimori US Patent 6,567,983 further in view of Danial US Patent 5,840,806.

As per claim 6, Yang and Shiimori teach the method of claim 1. However they don't teach the method further comprising: receiving compensation from a client.

Danial teaches a method comprising: receiving compensation from a client (col 11, lines 10-30). It would have been obvious to an artisan at the time of the invention to include Danial's teaching with method of Yang and Shiimori in order to provide sufficient cost for shopping and other cost relating to the service.

As per claim 28, which is dependent on claim 23, it is of the same scope as claim 6. Supra.

Art Unit: 2174

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586 in view of Asami US Patent 6,747,674 further in view of Danial US Patent 5,840,806.

As per claim 41, Yang and Asami teach the computerized system of claim 38. However they don't teach the method further comprising: receiving compensation from a client.

Danial teaches a method comprising: receiving compensation from a client (col 11, lines 10-30). It would have been obvious to an artisan at the time of the invention to include Danial's teaching with method of Yang and Asami in order to provide sufficient cost for shopping and other cost relating to the service.

Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586, in view of Shiimori US Patent 6,567,983 further in view of Vasudevan US Patent 6,892,351.

As per claim 45, Yang and Shiimori teaches the method of claim 1.

However they fail to teach where prior to accessing the plurality of presentation images, the method further comprises:

Specifying whether the visual presentation appears in black-and-white or color.

Vasudevan et al. teaches a method further comprises:

Specifying whether the visual presentation appears in black-and-white or color. (column 7, lines 19-30)

It would have been obvious to an artisan at the time of the invention to include Vasudevan teaching with method of Yang and Shiimori in order to allow users to provide a different artistic style.

Art Unit: 2174

Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586 in view of Asami US Patent 6,747,674 further in view of Vasudevan US Patent 6,892,351.

As per claim 51, Yang and Asami the method of claim 49, wherein prior to accessing the plurality of presentation images, the method further comprises: specifying whether the visual presentation appears in black-and-white or color.

However they fail to teach where prior to accessing the plurality of presentation images, the method further comprises:

Specifying whether the visual presentation appears in black-and-white or color.

Vasudevan et al. teaches a method further comprises:

Specifying whether the visual presentation appears in black-and-white or color. (column 7, lines 19-30)

It would have been obvious to an artisan at the time of the invention to include Vasudevan teaching with method of Yang and Asami in order to allow users to provide a different artistic style.

Claims 3 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang US Patent US 6,301,586, in view of Shiimori US Patent 6,567,983 further in view of Nelson US Patent 6,431,448

As per claim 3, Yang and Shiimori teach the method of claim 1, Yang further teaches wherein modifying the inconsistent presentation attributes of the plurality of presentation images includes modifying both size for one of more of the plurality of presentation images to be consistent with a reminder of the plurality of presentation images. (column 23, lines 28-32)

Art Unit: 2174

However, Yang and Shiimori fail to teach modifying the exposure for one of more of the plurality of presentation images to be consistent with a reminder of the plurality of presentation images.

Nelson teaches modifying the exposure for one of more of the plurality of presentation images to be consistent with a reminder of the plurality of presentation images. (column 49, lines 35-55)

It would have been obvious to an artisan at the time of the invention to include Nelson's teaching with method of Yang and Shiimori in order to correct the exposure variation due to errors in the camera exposure control.

As per claim 25, which is dependent on claim 23, it is of the same scope as claim 3. (see rejection above)

#### ***Response to Argument***

Applicant's arguments filed on 8/7/06 have been fully considered but they are not persuasive.

Applicant's arguments focused on the following:

A) Yang fails to teach arranging the presentation images by the server according to at least one characteristic provided by a client.

Examiner disagrees.

A) Yang teaches arranging the presentation images by the server according to at least one characteristic provided by a client because the spread sheet presentation of images can be sort according to the user by width, height, and color depth. (column 5, lines 60-15)

Art Unit: 2174

Applicant's arguments with respect to claims 3 and 25 have been considered but are deemed to be moot in view of the new grounds of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Contact Information***

Art Unit: 2174

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (571) 272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Peng Ke

*Kristine Kincaid*  
SUPERVISOR  
TECHNICAL CENTER